

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

FRANGIE ESPINAL, *On Behalf of Herself and All  
Other Persons Similarly Situated*,

Plaintiff,

-against-

TREK BICYCLE CORPORATION,

Defendant.

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 12/21/2023

23-cv-8294 (MKV)

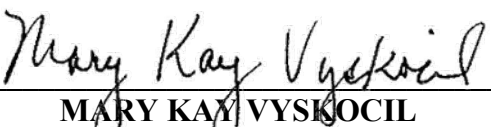
ORDER OF DISMISSAL

MARY KAY VYSKOCIL, United States District Judge:

The Court has received a letter from Defendant representing that the parties have reached a settlement in principle [ECF No. 11]. Accordingly, IT IS HEREBY ORDERED that the above-captioned action is discontinued without costs to any party and without prejudice to restoring the action to this Court's calendar if the application to restore is made by January 22, 2024. If no such application is made by that date, today's dismissal of the action is with prejudice. *See Muze, Inc. v. Digital On Demand, Inc.*, 356 F.3d 492, 494 n.1 (2d Cir. 2004). All other dates and deadlines are adjourned *sine die*.

**SO ORDERED.**

**Date: December 21, 2023**  
**New York, NY**

  
\_\_\_\_\_  
**MARY KAY VYSKOCIL**  
**United States District Judge**